

Message Text

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ACTION EUR-10

INFO OCT-01 SS-14 ISO-00 NSC-07 NSCE-00 CIAE-00 INR-11

NSAE-00 RSC-01 INRE-00 SSO-00 L-02 PM-03 DODE-00

SAM-01 SAJ-01 EURE-00 DRC-01 PRS-01 USIE-00 /053 W

----- 122257

O 121815Z SEP 74

FM USMISSION BERLIN

TO SECSTATE WASHDC NIACT IMMEDIATE 3970

AMEMBASSY BONN NIACT IMMEDIATE

INFO CINCEUR FOR POLAD & OPS IMMEDIATE

CINCUSAREUR FOR POLAD, OPS & AEAGC-OCO IMMEDIATE

CINCUSAFE FOR POLAD & OPS IMMEDIATE

USELMO IMMEDIATE

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO

C O N F I D E N T I A L SECTION 1 OF 2 BERLIN 1591

LIMDIS

E.O. 11652: GDS

TAGS: PGOV, MOPS, WB, GE

SUBJECT: SOVIET DETENTION OF US SOLDIER

1. SUMMARY: FOLLOWING POLAD DEMARCHE TO ACTING SOVIET
EMBASSY COUNSELOR BURDAKIN SEPTEMBER 12, INITIALLY
UNFORTHCOMING DISCUSSION, AND DIGRESSION TO OTHER TOPICS,
BURDAKIN INTIMATED THAT SOVIETS WOULD BE BACK TO US WITH
FURTHER INFORMATION ON MEDLEY CASE WITHOUT MUCH FURTHER
DELAY. SOVIET PROTOCOL OFFICER ROMANOVSKIY, PRESENT AT
MEETING, WHILE ESCORTING POLAD TO CAR, ELABORATED ON
CURB THAT HE HOPED TO GIVE US FURTHER INFORMATION
"AND PERHAPS MEDLEY AS WELL" ABOUT SAME TIME SEPTEMBER 13.
END SUMMARY.

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2. POLAD CALLED ON ACTING SOVIET EMBASSY COUNSELOR BURDAKIN AT 1630 SEPTEMBER 12 TO DELIVER FOLLOWING STATEMENT ON MEDLEY CASE. BEGIN TEXT: AT APPROXIMATELY 10:30 YESTERDAY MORNING THE PROTOCOL OFFICER OF THE UNITED STATES MISSION CALLED ON THE SOVIET PROTOCOL OFFICER TO PROTEST THE DETENTION BY SOVIET MILITARY AUTHORITIES OF SPECIALIST FOURTH CLASS WILLIAM S. MEDLEY, A MEMBER OF THE UNITED STATES FORCES IN BERLIN, AND TO DEMAND THAT HE BE IMMEDIATELY RETURNED TO THE CUSTODY OF THE UNITED STATES AUTHORITIES. THE UNITED STATES PROTOCOL OFFICER ALSO PROTESTED THE ACTION OF THE EAST BERLIN GUARDS IN PREVENTING A UNITED STATES OFFICER FROM ENTERING EAST BERLIN AND FROM SPEAKING WITH A SOVIET OFFICER WHEN HE WAS EVENTUALLY ABLE TO ENTER.

3. I WISH TO STATE THAT THE UNITED STATES AUTHORITIES REGARD THE FAILURE OF THE SOVIET AUTHORITIES TO RESPOND SATISFACTORILY AS UNACCEPTABLE. IN CONFORMITY WITH QUADRIpartite PRACTICES AND PROCEDURES, IT IS THE OBLIGATION OF THE SOVIET AUTHORITIES, WHO ARE SOLELY RESPONSIBLE FOR THE FREE CIRCULATION OF ALLIED PERSONNEL IN EAST

BERLIN, TO RETURN SPECIALIST MEDLEY TO UNITED STATES CUSTODY WITHOUT DELAY. THE UNITED STATES AUTHORITIES RENEW THEIR PROTEST AT HIS UNJUSTIFIED DETENTION, AND DEMAND ONCE AGAIN THAT HE BE RETURNED TO THEM IMMEDIATELY. END TEXT.

4. HAVING PREVIOUSLY CONSULTED WITH HIS COLLEAGUES, POLAD ADDED THAT HE COULD STATE THAT FRENCH AND BRITISH AUTHORITIES ASSOCIATED THEMSELVES WITH STATEMENT.

5. BURDAKIN RESPONDED HE WAS INSTRUCTED ONLY TO REPEAT AND CONFIRM WHAT SOVIET PROTOCOL OFFICER HAD SAID TO US PROTOCOL OFFICER DAY BEFORE. US SOLDIER HAD VIOLATED LAW OF GDR AND THEREFORE BEEN DETAINED. (COMMENT: BURDAKIN MADE NO MENTION OF POSSIBLE TRIAL.) BURDAKIN SAID THAT AT THIS STAGE OF INVESTIGATION HE COULD ADD NO MORE. HE HAD ALSO BEEN INSTRUCTED TO SAY THAT HE COULD NOT ACCEPT US STATEMENT WHICH WAS COMPLETELY UNFOUNDED. CONFIDENTIAL

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6. POLAD SAID THIS WAS UNSATISFACTORY RESPONSE. THERE WERE SEVERAL POINTS AT ISSUE. AS FAR AS MEDLEY HIMSELF WAS CONCERNED, IF SOVIETS HAD EVIDENCE OF MISCONDUCT ON MEDLEY'S PART, IT WAS UP TO THEM TO PROVIDE ANY FACTS THEY HAD TO US AUTHORITIES, BUT MEDLEY SHOULD BE TURNED OVER TO THEM WITHOUT DELAY. IT WAS US RESPONSIBILITY TO METE OUT ANY PUNISHMENT THAT MIGHT BE IN ORDER. OTHER

POINTS, HOWEVER, HAD BEEN REGISTERED IN US PROTEST:
ACTION OF EAST GERMANS IN PREVENTING US OFFICER FROM
ENTERING EAST BERLIN EITHER BY CAR OR ON FOOT, AND REFUSAL
TO PERMIT OFFICER TO TALK WITH SOVIET MILITARY PERSONNEL
ONCE HE WAS ADMITTED. SOVIET AUTHORITIES HAD CONSIDERED
THEMSELVES ACCOUNTABLE IN SUCH MATTERS IN PAST AND WE
EXPECTED THEM TO CONTINUE TO DO SO.

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ACTION EUR-10

INFO OCT-01 SS-14 ISO-00 NSC-07 NSCE-00 CIAE-00 INR-11

NSAE-00 RSC-01 INRE-00 SSO-00 L-02 PM-03 DODE-00

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TO SECSTATE WASHDC NIACT IMMEDIATE 3971

AMEMBASSY BONN NIACT IMMEDIATE

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C O N F I D E N T I A L SECTION 2 OF 2 BERLIN 1591

LIMDIS

7. SOME DISCUSSION ENSUED IN WHICH BURDAKIN AND ROMANOVSKIY
DISPUTED FACTS OF CASE, ALLEGING THAT OFFICER HAD IN FACT
BEEN PERMITTED TO ENTER WITHOUT DELAY AND HAD CHOSEN NOT
TO TALK WITH SOVIET OFFICER BUT HAD NOT BEEN PREVENTED
FROM DOING SO.

8. BURDAKIN SAID THAT HE HAD BEEN TOLD BY SOVIET MILITARY AUTHORITIES THAT THERE WAS "BIG REASON" FOR MEDLEY'S DETENTION, BUT THAT HE WAS NOT AUTHORIZED AT THIS JUNCTURE TO DISCUSS DETAILS. WHEN SOVIET EMBASSY HAD FINAL RESULTS OF INVESTIGATION US AUTHORITIES WOULD BE IMMEDIATELY INFORMED. ROMANOVSKIY INTERJECTED THAT WE COULD REST ASSURED MEDLEY, WHO WAS IN SOVIET MILITARY CUSTODY, WAS BEING WELL-TREATED AND CONFIDENTIAL

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WAS IN GOOD CONDITION. WHEN POLAD RENEWED REQUEST FOR ACCESS, ROMANOVSKIY REJOINED THIS WAS NOT POSSIBLE NOW WHILE INVESTIGATION CONTINUED, BUT MIGHT BE ARRANGED SOON -- "POSSIBLY TOMORROW OR DAY AFTER." BURDAKIN SAID AFFAIR SHOULD BE REGARDED AS LOCAL INCIDENT UNRELATED TO OVERALL US-SOVIET RELATIONS, WHICH WERE ON FAVORABLE COURSE. POLAD REPEATED THAT IF THERE WERE ANY PUNISHMENT DUE MEDLEY, US SHOULD BE RESPONSIBLE, NOT SOVIETS, TO WHICH BURDAKIN REJOINED, "YOU WILL HAVE THE OPPORTUNITY."

9. AFTER DIGRESSION TO BRIEF DISCUSSION OF BAN ON NPD, WHICH BURDAKIN WELCOMED -- AND WHICH POLAD REPEATED WAS UNRELATED TO SOVIET DEMARCHE -- BURDAKIN SAID HE HOPED AFFAIR WOULD BE RESOLVED FAIRLY SOON AND SIMILAR INCIDENT WOULD NOT RECUR. BURDAKIN SEEMED AT PAINS IN ABOVE EXCHANGE TO PLAY DOWN SIGNIFICANCE OF INCIDENT AND TO LEND CORDIAL ATMOSPHERE TO MEETING.

10. ROMANOVSKIY, WHO ESCORTED POLAD TO CAR, COMMENTED ON CURB THAT HE WAS NOT ONE HUNDRED PERCENT SURE, BUT THOUGHT HE WOULD BE ABLE TO GET BACK TO MISSION WITH RESULTS OF INQUIRY VERY SOON, POSSIBLY ABOUT SAME TIME SEPTEMBER 13. WHEN POLAD INQUIRED: "WITH MEDLEY TOO?" ROMANOVSKIY REPLIED "MAYBE MEDLEY TOO."

11. USCOB CONCURS.SELIGMANN

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